

AMENDED IN SENATE APRIL 20, 2006

SENATE BILL

No. 1266

Introduced by Senator Perata

February 9, 2006

An act to amend Section 42238.51 of the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1266, as amended, Perata. Charter schools: funding.

Existing law requires the county superintendent of schools to determine a revenue limit for each school *district* in the county pursuant to a prescribed formula, and requires, for purposes of that apportionment, that average daily attendance be calculated, as prescribed.

Existing law requires a school district to compute the fiscal year average daily attendance, as specified.

Existing law requires a sponsoring school district to compute its average daily attendance by computing the sponsoring school district's regular average daily attendance in the current year, excluding all attendance of pupils in charter schools, and by computing the sponsoring school district's 2nd principal apportionment regular average daily attendance for the prior year, excluding all attendance of pupils who either attended a charter school in the prior year or who attended one or more noncharter schools of the school district between July 1 and the last day of the 2nd period, inclusive, in the prior year, and attended a charter school sponsored by the school district between July 1 and the last day of the 2nd period, inclusive, in the current year.

The bill would provide that for the purposes of the above computation, a pupil enrolled in a grade at a charter school sponsored by the school district shall not be counted if the school district does not offer classes for pupils enrolled in that grade. The bill would also, for the purpose of that computation, prohibit the amount of the attendance counted for any pupil to be greater than the attendance claimed for that pupil by the charter school in the current year.

The bill would compute the attendance of pupils who attended a charter school sponsored by the school district in the prior year and who attended one or more noncharter schools of the school district in the current year. The bill would, for the purposes of that computation, prohibit the amount of the attendance counted for any pupil to be greater than the attendance claimed for that pupil by the school district in the current year.

The bill would make additional specified calculations and findings based upon the above computation, as specified.

~~This bill would require the amount excluded from the average daily attendance for the prior year to be reduced by the amount, if any, of attendance of pupils who attended a charter school sponsored by the school district in the prior year and who attended a noncharter school of the school district in the current year, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42238.51 of the Education Code is
2 amended to read:
3 42238.51. For purposes of paragraph (1) of subdivision (a) of
4 Section 42238.5, a sponsoring school district's average daily
5 attendance shall be computed as follows:
6 (a) Compute the sponsoring school district's regular average
7 daily attendance in the current year, excluding all attendance of
8 pupils in charter schools.
9 (b) (1) Compute the regular average daily attendance used to
10 calculate the second principal apportionment of the school
11 district for the prior year, excluding all attendance of pupils ~~who~~
12 ~~either attended a charter school in the prior year or who satisfy~~
13 ~~both of the following conditions:~~

1 ~~(A) He or she attended one or more noncharter schools of the~~
2 ~~school district between July 1 and the last day of the second~~
3 ~~period, inclusive, in the prior year.~~

4 ~~(B) He or she attended a charter school sponsored by the~~
5 ~~school district between July 1 and the last day of the second~~
6 ~~period, inclusive, in the current year.~~

7 ~~(2) For the purposes of this subdivision, the amount excluded~~
8 ~~from the average daily attendance for the prior year shall be~~
9 ~~reduced by the amount, if any, of attendance of pupils who~~
10 ~~attended a charter school sponsored by the school district in the~~
11 ~~prior year and who attended a noncharter school of the school~~
12 ~~district in the current year. In no event may the reduction of~~
13 ~~attendance calculated pursuant to this paragraph exceed the~~
14 ~~exclusion of attendance required pursuant to paragraph (1): in~~
15 ~~charter schools.~~

16 ~~(2) Compute the attendance of pupils who attended one or~~
17 ~~more noncharter schools of the school district between July 1,~~
18 ~~and the last day of the second period, inclusive, in the prior year;~~
19 ~~and who attended a charter school sponsored by the school~~
20 ~~district between July 1, and the last day of the second period,~~
21 ~~inclusive, in the current year. For the purposes of this~~
22 ~~paragraph, a pupil enrolled in a grade at a charter school~~
23 ~~sponsored by the school district shall not be counted if the school~~
24 ~~district does not offer classes for pupils enrolled in that grade.~~
25 ~~The amount of the attendance counted for any pupil for the~~
26 ~~purpose of this paragraph may not be greater than the~~
27 ~~attendance claimed for that pupil by the charter school in the~~
28 ~~current year.~~

29 ~~(3) Compute the attendance of pupils who attended a charter~~
30 ~~school sponsored by the school district in the prior year and who~~
31 ~~attended one or more noncharter schools of the school district in~~
32 ~~the current year. The amount of the attendance counted for any~~
33 ~~pupil for the purpose of this paragraph may not be greater than~~
34 ~~the attendance claimed for that pupil by the school district in the~~
35 ~~current year.~~

36 ~~(4) From the amount determined pursuant to paragraph (2)~~
37 ~~subtract the amount determined pursuant to paragraph (3). If the~~
38 ~~result is less than zero, the amount shall be deemed to be zero.~~

1 (5) *The prior year average daily attendance determined*
2 *pursuant to paragraph (1) shall be reduced by the amount*
3 *determined pursuant to paragraph (4).*

4 ~~(3) The amount of the attendance counted for any pupil for the~~
5 ~~purpose of an adjustment to the prior year attendance pursuant to~~
6 ~~this subdivision may not be greater than the attendance claimed~~
7 ~~for that pupil by the charter school in the current year.~~

8 ~~(4) An adjustment to the average daily attendance for the prior~~
9 ~~year shall not be made pursuant to this subdivision for a pupil~~
10 ~~enrolled in a grade at a charter school sponsored by the school~~
11 ~~district if the school district does not offer classes for pupils~~
12 ~~enrolled in that grade.~~

13 (c) To the greater of the amounts computed pursuant to
14 subdivisions (a) and (b), add the regular average daily attendance
15 in the current year of all pupils attending charter schools
16 sponsored by the district that are not funded pursuant to Article 2
17 (commencing with Section 47633) of Chapter 6 of Part 26.

18 (d) For the purposes of this section, a “sponsoring school
19 district” shall mean a “sponsoring local educational agency,” as
20 defined in Section 47632.